

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FAY SHORT,	:	
	:	
Petitioner,	:	
	:	
v.	:	Civil No. 2:21-cv-04564
	:	
SUPERINTENDENT,	:	
	:	
SCI CAMBRIDGE SPRINGS, <i>et al.</i> ,	:	
	:	
Respondents.	:	

ORDER

AND NOW, this 25th day of February, 2022, upon careful and independent consideration of Fay Short's Petition for Writ of Habeas Corpus (ECF No. 2), the Report and Recommendation of U.S. Magistrate Judge Richard A. Lloret (ECF No. 6), and Petitioner's objections thereto (ECF No. 8), the Court finds as follows:

1. Fay Short filed a petition for writ of habeas corpus on October 14, 2021. The petition was ultimately referred to United States Magistrate Judge Richard A. Lloret, who issued a Report and Recommendation on December 6, 2021.
2. After reviewing Ms. Short's petition, Judge Lloret concluded that Ms. Fay's claims should be dismissed as untimely, procedurally defaulted and non-cognizable. Ms. Short filed objections to the Report and Recommendation on January 14, 2022.
3. Ms. Short's objections largely rehash the claims she raised in her petition for writ of habeas corpus and her accompanying memorandum of law. *See* Pet'r's Obj. ¶¶ 2, 3, 6, 7 (ECF No. 8). In rehashing these claims, Ms. Short offers no information or argument that could undermine Judge Lloret's well-reasoned Report and Recommendation.
4. The remainder of Ms. Short's objections to Judge Lloret's Report and

Recommendation are meritless because they either misconstrue the Report and Recommendation, Pet'r's Obj. ¶¶ 1, 4, have no basis in law, Pet'r's Obj. ¶ 8, or raise issues that are beyond the Court's jurisdiction when reviewing a petition for habeas corpus, Pet'r's Obj. ¶ 5.

WHEREFORE, it is **HEREBY ORDERED** that:

1. The Report and Recommendation of Magistrate Judge Richard A. Lloret (ECF No. 6) is **APPROVED** and **ADOPTED**;
2. Ms. Short's Petition for Writ of Habeas Corpus (ECF No. 2) is **DISMISSED with prejudice** by separate Judgment, filed contemporaneously with this Order. *See* Federal Rule of Civil Procedure 58(a); Rules Governing Section 2254 Cases in the United States District Courts, Rule 12;
3. **NO CERTIFICATE OF APPEALABILITY SHALL ISSUE** under 28 U.S.C. § 2253(c)(1)(A) because "the applicant has [not] made a substantial showing of the denial of a constitutional right[.]" under 28 U.S.C. § 2253(c)(2) since he has not demonstrated that "reasonable jurists" would find my "assessment of the constitutional claims debatable or wrong." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *see United States v. Cepero*, 224 F.3d 256, 262–63 (3d Cir. 2000), *abrogated on other grounds by Gonzalez v. Thaler*, 565 U.S. 134 (2012);
4. The Clerk of Court shall mark this file **CLOSED**.

BY THE COURT:

/s/ John M. Gallagher
JOHN M. GALLAGHER
United States District Court Judge